Remarks/Arguments

In the Final Office Action dated August 17, 2010, it is noted that claims 1-8 are pending in this application; and that all the claims stand rejected under 35 U.S.C. §102.

By this response, claim 1 has been amended to correct antecedence for one term and to make a minor grammatical change thereto and claim 8 has been amended to expand an abbreviated term for antecedent basis reasons. The amendments to the claims appear to be proper and justified. No new matter has been added.

Cited Art

The following references have been cited and applied in the present Office Action: U.S. Patent Application Publication No. 2003/0022643 Djupsjobacka et al. (hereinafter "*Djupsjobacka*"). The Examiner has apparently identified this reference in the Office Action as Toiva. While Toiva is a named inventor on the face of the application, the first named inventor and the inventor identified at the very top of the published application is "Djupsjobacka". For this reason, this response will forgo using the Examiner's identification for this reference.

Rejection of Claims 1-8 under 35 U.S.C. §102

Claims 1-8 stand rejected under 35 U.S.C. §108 as being unpatentable over Djupsjobacka. These rejections are respectfully traversed.

Claims 1 and 8 are independent claims. Claims 2-7 depend ultimately from claim 1. The dependent claims include all the limitations of the independent base claim while introducing further limitations thereto. Claims 1 and 8 include substantially similar limitations. In light of this similarity, the remarks below will be presented substantially with respect to claim 1 and will be intended to apply equally to claim 8 without any further repetition or explanation.

It will be shown in the remarks below that Djupsjobacka does not teach, show, or suggest the limitations defined in the independent claims.

Djupsjobacka is not at all related to Internet Protocol type networks, as required by the claims. Claim 1, for example, defines a "method of recognition by a receiver connected to an Internet Protocol type network". [Emphasis added]. In contrast, Djupsjobacka clearly mentions in paragraphs [0006] and [0036]-[0038] that it is related to classical data transmission via satellite or cable television network. Djupsjobacka shows satellite and cable networks connected

to the set top box (STB) receiver in Figures 2 and 7. Djupsjobacka avoids any teaching about transmission of transport streams over an Internet Protocol type network, because he refers to carrier frequency and symbol-rate are retrieved from an NIT table. *See Djupsjobacka at paragraph [0059].* These parameters are typically related to radio wave transmission, not to transmission of transport streams over an Internet Protocol type network.

Djupsjobacka illustrates and describes describe the prior-art organization and hierarchy of service information (DVB-SI), comprising a NIT and an SDT. *See Djupsjobacka at paragraphs [0039]-[0041].* Djupsjobacka describes that a composite data transmission stream can comprise information packets or other data transmission streams as well as transmission packets of a service, all of which can be separated by an STB receiver 7. *See Djupsjobacka at paragraph [0038].* But even when Djupsjobacka in discusses protocols that are commonly used for Internet transmission, Djupsjobacka does not teach or remotely suggest a "method of recognition of a digital service on an Internet Protocol type network, of at least one digital service on the Internet Protocol network", as defined in the claims.

Djupsjobacka does not have a receiver that receives or connects to separate first and second Internet Protocol streams. Instead, Djupsjobacka shows the unbundling of a single IP stream by the STB 7 in Figure 1. Djupsjobacka explains that all the video, audio, and data streams are multiplexed together for transmission in a single transmission stream. *See Djupsjobacka at paragraph [0006] and in Figure 1.* Moreover, Djupsjobacka explains that the streams from more than one service can be combined together, by the service multiplexer in Figure 1, to form the single transmission stream. *Ibid.* While separate audio, video, and data streams are shown as elements 11a-c in Figure 1 of Djupsjobacka, it is clear that those streams were generated by demultiplexing from the single stream received over channel 6 by the STB 7. Nowhere does Djupsjobacka teach, show, or suggest that first and second Internet Protocol streams are received by STB 7. Nowhere does Djupsjobacka even hint at the existence of separate IP streams in his network for reception by STB 7.

All these points are expected in light of the fact that the system depicted by Djupsjobacka in Figure 1 is nothing more than a repetition of the exact same prior art system depicted in Figure 1 of the present application. Applicants have patentably distinguished the claimed invention from that system with explanations in the specification. The claims are drawn to a

system that is quite different from the **NON-Internet Protocol** system depicted in Figure 1 of Djupsjobacka and Figure 1 of the present application.

Djupsjobacka does not teach, show, or suggest the receiver "extracting from said first Internet Protocol stream first location information on a location on the Internet Protocol type network of at least one Internet Protocol stream conveying content of said at least one digital service and extracting from said first Internet Protocol stream second location information on a location on said Internet Protocol type network of at least one second Internet Protocol stream conveying description information relating to said at least one digital service, said first and second location information comprising at least one descriptor for locating a respective Internet Protocol stream on said Internet Protocol type network". In paragraph [0047], Djupsjobacka mentions the addition of a descriptor to a prior art SDT table, wherein the descriptor comprising a name of a service provider and a name of a service. This descriptor is not indicative or suggestive of "a location on the Internet Protocol type network of at least one Internet Protocol stream conveying content of said at least one digital service", as defined in the claim. Even if it were assumed solely for the sake of argument herein that this descriptor was suggestive of "a location on the Internet Protocol type network of at least one Internet Protocol stream conveying content of said at least one digital service", as defined in the claim, Djupsjobacka lacks any further teaching or suggestion that the same first IP stream can be processed to also extract therefore "second location information on a location on said Internet Protocol type network of at least one second Internet Protocol stream conveying description information relating to said at least one digital service". Moreover, Djupsjobacka does not teach, show, or suggest that any descriptor in his specification is such that it defines "said first and second location information comprising at least one descriptor for locating a respective Internet Protocol stream on said Internet Protocol type network". No descriptor defined in Djupsjobacka teaches or suggests a location for an IP stream on the IP type network, as required by the claims. Every descriptor in Djupsjobacka appears to point to a location within the one composite transmission stream received by STB 7.

Djupsjobacka does not teach, show, or suggest the receiver "connecting to said at least said second separate Internet Protocol stream to obtain service description information related to said at least one digital service", as defined in the claims. In this regard, the Examiner has paragraphs [0050]-[0055] of Djupsjobacka. But the reliance on these teachings of Djupsjobacka

is misplaced. Djupsjobacka explains in these sections that conventional URLs, which refer to addresses of information found on the Internet, are replaced by a new type of URL that refers to addresses of information found in the same MPEG-2 data stream that included the new URL. There is no teaching that the receiver connects to a second separate IP stream as required by the claims. The receiver in Djupsjobacka is merely using the new URL to find information in another portion of the same received single data stream. Thus, Djupsjobacka does not disclose connecting to said at least said second separate Internet Protocol stream to obtain service description information related to said at least one digital service.

Djupsjobacka does not teach, show, or suggest the receiver "constructing, in response to at least said second location information and said service description information, a list of at least one digital service available on the Internet Protocol type network", as defined in claim 1. Djupsjobacka merely describes how a DSM-CC data carousel can be used to transmit information on a service in the paragraph [0057] of Djupsjobacka cited by the Examiner. At the very least, it has been established that Djupsjobacka does not teach, show, or suggest the extraction or presence of any second location information as taught and claimed by Applicants. Thus, Djupsjobacka cannot be read as teaching any constructing, in response to at least said second location information and said service description information, a list of at least one digital service available on the Internet Protocol type network.

For at least these reasons, it is submitted that the elements of claim 1 and the claims dependent thereon are not anticipated by Djupsjobacka and that the elements of claim 1 and the claims dependent thereon would not have been obvious to a person of ordinary skill in the art upon a reading of Djupsjobacka. Therefore, it is believed that claims 1-7 are allowable under both 35 U.S.C. §102 and 35 U.S.C. §103. Withdrawal of this rejection is respectfully requested.

In view of the similarities between claim 1 and the limitations of claim 8 and for at least these reasons set forth above for claim 1, it is submitted that the elements of claim 8 are not anticipated by Djupsjobacka and that the elements of claim 8 would not have been obvious to a person of ordinary skill in the art upon a reading of Djupsjobacka. Therefore, it is believed that claim 8 is allowable under both 35 U.S.C. §102 and 35 U.S.C. §103. Withdrawal of this rejection is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Entry of this amendment, reconsideration of the application, and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the Applicants' attorney, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 07-0832.

Respectfully submitted,

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